

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *eg* D.C.
05 DEC 13 PM 5:06

THOMAS H. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARTIN COX,

Defendant.

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No. 03-20485 Ma

ORDER DENYING DEFENDANT'S MOTION TO EXCLUDE ANY OPINION OR EXPERT
TESTIMONY

Before the court is Defendant Martin Cox's ("Cox") Motion to Exclude Any Opinion or Expert Testimony, filed on October 20, 2005. The government filed a response on October 26, 2005. For the following reasons, Cox's motion is DENIED as moot.

Cox asserts in its motion that the testimony of a fingerprint examiner with the Memphis Police Department ("MPD") and a firearms expert with the Bureau of Alcohol, Tobacco, and Firearms ("ATF") should be excluded because the United States has not complied with the requirements of Fed. R. Crim. P. 16(a)(1)(F) and 16(a)(1)(G). In its response, the government asserts that it does not intend to call the ATF expert. Furthermore, the government assures the court that, as of October 24, 2005, it had complied with all discovery requirements related

to the MPD fingerprint examiner.

Therefore, Defendant's motion is DENIED as moot.

So ordered this 13th day of December 2005.

A handwritten signature in black ink, appearing to read 'SHM', followed by a long horizontal line.

SAMUEL H. MAYS, JR.

UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 371 in case 2:03-CR-20485 was distributed by fax, mail, or direct printing on December 15, 2005 to the parties listed.

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Honorable Samuel Mays
US DISTRICT COURT